

PATENT
Docket No. 00-8015
Application Serial No. 09/656,868

REMARKS

This amendment is responsive to the final Office Action¹ of November 28, 2005. Claims 1-36 were presented for continued examination. Claim 36 was allowed. Claims 11-13 and 28-30 were objected to but would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims. Claims 1-10, 14-27, and 31-35 were rejected.

The Examiner rejected claims 1-6, 8, 14, 17-23, 25, 31, and 34-35 under 35 U.S.C. § 103(a) as being unpatentable over newly-cited Green et al. (U.S. Patent No. 6,625,255) in view of Bell Telephone Laboratories ("Transmission Systems for Communications") (hereinafter "Bell"). The Examiner rejected claims 7, 9-10, 24, and 26-27 under 35 U.S.C. § 103(a) as unpatentable over Green et al. in view of Bell as applied to claims 1-6, 8, 14, 17-23, 25, 31, and 34-35 above, and further in view of Liu et al. (U.S. Patent No. 6,266,395). The Examiner rejected claim 15-16 and 32-33 under 35 U.S.C. § 103(a) as being unpatentable over Green et al. in view of Bell as applied to claims 1-6, 8, 14, 17-23, 25, 31 and 34-35 above, and further in view of Milbrandt (U.S. Patent 6,633,545).

Applicant acknowledges the Examiner's finding of allowable subject matter, with appreciation. Applicant does not acquiesce in any of the above-noted rejections, but has decided

¹ The Office Action may contain a number of statements characterizing the cited references and/or the claims which Applicant may not expressly identify herein. Regardless of whether or not any such statement is identified herein, Applicant does not automatically subscribe to, or acquiesce in, any such statement. Further, silence with regard to rejection of a dependent claim, when such claim depends, directly or indirectly, from an independent claim which Applicant deems allowable for reasons provided herein, is not acquiescence to such rejection of that dependent claim, but is recognition by Applicant that such previously lodged rejection is moot based on remarks and/or amendments presented herein relative to that independent claim.

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to move the prosecution of this application forward by amending the claims in a manner consistent with the Examiner's recommendation to achieve allowance.

Accordingly, the allowable limitations of claims 8 and 11 are included in amended independent claim 1 and claims 8 and 11 are canceled without prejudice or disclaimer. The allowable limitations of claims 25 and 28 are included in amended independent claim 18 and claims 25 and 28 are canceled without prejudice or disclaimer. Rejected independent claims 17, 34 and 35 are also canceled without prejudice or disclaimer.

All claims dependent from amended independent claim 1 now partake in their allowability, wherefore claims 2-7, 9-10 and 12-16, which are ultimately dependent from claim 1, are also allowable.

All claims dependent from amended independent claim 18 now partake in their allowability, wherefore claims 19-24, 26-27 and 29-33, which are ultimately dependent from claim 18, are also allowable.

Applicant expressly reserves its rights to further prosecute the canceled claims, and/or to pursue claim breadth consistent with at least the breadth of its claims prior to the instant amendment, by way of filing a continuation application or the like.

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CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests the reconsideration of this application and the timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 07-2347 and please credit any excess fees to such deposit account. The Examiner is invited to telephone the undersigned at the telephone number provided below if he feels that a telephone conversation may serve to advance the prosecution of this application.

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By:


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Date: February 27, 2006

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